

Appl. No. : 09/251,218
Filed : February 16, 1999

Claim Rejections

The Examiner has rejected Claims 1-66 under 35 U.S.C. Section 103(a) as unpatentable over Kenney in view of Burke, Foley et al. (Foley), Mills et al. (Mills) and Gottschalk et al. (Gottschalk). In an embodiment of a product configuration display system according to Claim 1, the consumer may select numerous product display configurations with a number of physical exterior and interior vehicle options, accessories and characteristics, such as color, trim, grill guard, upgraded stereo system, roof rack, hood protector, etc. Such a system allows the consumer to alter the display of the individually configured product for purchase, for example adding or removing features or options at his discretion based on considerations such as individual needs, preferences and budget constraints. Such a system therefore enables the consumer to view, prior to making the purchase decision, an image of the product specifically configured according to his individual choices. A system that allows consumers to individually customize the display of the desired product configuration prior to purchase would, among others, aid the consumer in purchasing the product most suitable to his or her needs, thereby increasing customer satisfaction, generating repeat business, and ultimately increasing revenues.

The prior art relied upon by the Examiner does not teach or suggest that the displayed products can be altered by a consumer to include or remove physical product exterior/interior options, or to allow the consumer to view the products in differing optional package configurations, whereby the consumer's purchasing decision is influenced by utilizing the displayed product alterations. The system in Kenney involves only unalterable (i.e. static) product display with no product configuration options to increase the consumer's likelihood of making purchases. Thus Kenney teaches or suggests a system that duplicates as nearly as possible the traditional in-store shopping experience, which contains only unalterable products, using an on-line computer, and therefore teaches away from user-selected physical alterations of product configurations. In addition, Burke and Foley do not teach or suggest these elements of Claim 1.

The Examiner additionally relied upon Mills and Gottschalk in the Final Office Action. However, Mills and Gottschalk merely disclose Computer Aided Design (CAD) systems communicating on a network, and do not teach or suggest all the elements of Claim 1, including

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those elements directed to the "user-selected alterations of physical product exterior/interior options" displayed on a buyer terminal.

The Applicant respectfully submits that the Examiner was applying impermissible hindsight in asserting that these online design references render obvious the online purchasing system of this invention. A purchasing system that allows such user-selected alterations offers tremendous potential advantages and benefits, as described above, to the online shopping experience not taught or suggested in any of the prior art relied on by the Examiner.

Therefore, the Applicant respectfully submits that the system and method of allowing alteration and display of numerous physical product exterior/interior options at the direction of a consumer would not have been obvious to one of ordinary skill in the art at the time the invention was made based on Kenney, Burkcs, Foley, Mills and Gottschalk.

As the Examiner based the rejection of independent Claims 1, 17, 30, 37, 38, 58, 65 and 66 on analogous reasoning and relied on identical references, the Applicant respectfully submits that the above-listed independent claims are also in condition for allowance for at least the same reasons. All remaining claims are dependent either directly or indirectly on one of the above-listed independent claims. Accordingly, it is respectfully submitted that these claims are also in condition for allowance for at least the same reasons.

CONCLUSION

For all of the above reasons, the Applicant respectfully requests withdrawal of all rejections under 35 U.S.C. §103(a), and allowance of the pending application.

The Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Final Office Action. Accordingly, arguments in support of the patentability of the pending claim set are presented above. In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

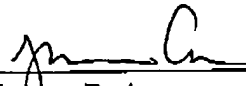
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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